CLASSIFICATION OFFICE DECISION

Title of publication: 000469.mp4

Other known title(s): Not stated

OFLC ref: 1400012.040

Medium: Computer Moving Image File

Director: Not applicable

Country of origin: New Zealand

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 14 February 2014

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 14 February 2014

	Components	Running time
Timed component(s):	000469.mp4	0:17
Total running time:		0:17

Summary of reasons for decision:

The publication is a moving image file in the form of a hand-held video recording. It shows a naked girl, known to be 10-11 years old at the time of recording, as she poses on top of an indoor spa pool. At one point the cameraman attempts to hide himself and the camera as a man walks past the glazed door, strongly indicating his ulterior motives.

Under s3(3)(b) the recording exploits the girl's nudity. The photographer has taken advantage of

the vulnerability of a child who lacks the maturity to be aware of possible consequences of the incident. The recording sexualises the girl's youthfulness and exploits her nudity to such a degree that its availability is likely to be injurious to the public good.

This classification interferes with freedom of expression as set out in s14 of the NZBR Act, however, it is consistent with parliament's intention to limit the availability of publications that exploit the nudity of children and young persons.